

ANITA P. ARRIOLA
ARRIOLA, COWAN & ARRIOLA
259 MARTYR STREET, SUITE 201
C&A BUILDING
HAGÁTÑA, GUAM 96910
Tel No.: (671) 477-9730
Facsimile No.: (671) 477-9734

Attorneys for Defendant Owens-Illinois, Inc.

FILED
DISTRICT COURT OF GUAM

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MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES
DISTRICT COURT OF GUAM

CESS NAVARRO OLMO, RONNIE
PASCUAL FERRERAS,

PLAINTIFFS,

-VS-

A.P. GREEN INDUSTRIES, INC., et. al.,

DEFENDANTS.

CIVIL CASE NO. 05-00025

**DEFENDANTS' STATEMENT
REGARDING THEIR
[PROPOSED] SCHEDULING
ORDER AND DISCOVERY
PLAN**

Certain defendants in the above-captioned matter file this Statement pursuant to L.R. 16.2(b).

This Court's local rules require that plaintiff shall prepare a draft Scheduling Order, which shall be presented to all counsel in the case for agreement and signature. On November 25, 2005 at 11:35 p.m., plaintiffs' counsel faxed a draft proposed Scheduling Order to defendants' counsel, which was not received by defense counsel until Monday, November 28, 2005. This was not sufficient time for defense counsel to review the dates and matters contained in the proposed draft or to consult with their clients or off-island co-counsel. As of the filing of this Statement, some of the defendants' counsel still have not received approval or authorization from their clients or co-counsel regarding the matters contained in plaintiffs' proposed Scheduling Order. Consequently, the undersigned

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

defense counsel are forced to file this Statement and an alternative draft Proposed Scheduling Order, which is attached hereto.

RESPECTFULLY SUBMITTED this 29th day of November, 2005.

ARRIOLA COWAN & ARRIOLA

By: 
ANITA P. ARRIOLA, ESQ.

BLAIR STERLING & JOHNSON

By: 
THOMAS C. STERLING, ESQ.

CARLSMITH BALL LLP

By: _____
J. PATRICK MASON, ESQ.

MAHER, YANZA, FLYNN, TIMBLIN LLP

By: 
LOUIS J. YANZA, ESQ.

DOOLEY ROBERTS & FOWLER LLP

By: 
JOHN A. VISOSKY

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910